



RELOCATION ASSISTANCE

The Multipurpose Cultural and Performing Arts Center

November 14, 2016

INTRODUCTION

In 2012, El Paso voters approved a Quality of Life bond proposition for the construction and operation of the Multipurpose Cultural and Performing Arts Center in Downtown El Paso. The Project requires the City of El Paso (City) to acquire land. This, in turn, means that some persons may be required to move to another location. The City is aware of the cost and inconvenience associated from having to move from a home or business. In order to assist those who are required to move, the City provides payments and services to aid in moving to a new location.

It is not possible to cover the needs and questions of each person in a written brochure. This brochure is for general information purposes only.

Who qualifies for relocation assistance?

Relocation assistance is available to individuals, families, businesses and nonprofit organizations who are relocated as a result of the location of the City's Project (referred to as "Relocated Persons"). This assistance applies to tenants as well as owners occupying the property needed for this Project.

Who will assist with relocation?

If you are required to move as the result of the acquisition of property for this Project, a City Staff member or a City Relocation Assistance Specialist will contact you to schedule a meeting. They will be able to answer your specific questions and provide additional information.

What kind of notice will relocated parties receive?

Each relocated person will be given sufficient time to plan for an orderly, timely and efficient move. No person will be required to move from their current location without a 90-day written notice.

What determines the amount of relocation assistance the City can provide?

The State of Texas requires cities to follow the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 in setting relocation amounts.

DEFINITIONS

Relocated Person

Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the City's acquisition of that real property. A Relocated Person can be:

- An owner occupant of a residential property
- A tenant occupant of a residential property
- A business or non-profit organization
- An individual with personal property that must be moved

Business

Any lawful activity conducted primarily for the purchase, sale, lease and/or rental of either personal or real property; or for the manufacturing, processing and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public that must be moved as a result of the City's acquisition of land.

Family

Two or more individuals living together in a single family dwelling unit who: (i) are related by blood, adoption, marriage or legal guardianship, who live together as a family unit, plus all other individuals, regardless of blood or legal ties who live with or are considered part of the family unit or (ii) are not related by blood or legal ties, but live together by mutual consent.

Initiation of Negotiations

The date the City makes its first written offer to an owner of real property or the owner's representative to purchase the real property for this Project.

RESIDENTS

Residents who are Relocated Persons are entitled to receive:

- **Moving Cost Reimbursement and Related Expenses (up to a 50 mile distance)**
 - Residents may choose to be paid based on either:
 1. Actual, reasonable and necessary moving costs and related expenses supported by receipts (cost of packing and unpacking, disconnecting and reconnecting household items, utility and telephone connection charges, temporary storage, transportation, moving insurance, and related costs); or
 2. A fixed moving cost schedule based on room count, not actual expenses, so no receipts are necessary.
- **Replacement Housing**
 - Residents may choose one of three types of housing payments, depending on whether the resident is an owner or tenant:
 1. Purchase Supplement (owner-occupant with more than 90 days of occupancy immediately prior to initiation of negotiations)
 - Price Differential Payment – the amount that a replacement dwelling exceeds the acquisition cost of the acquired dwelling
 - Increased Mortgage Insurance Costs
 - Incidental Expenses (loan application fees and closing costs)
 2. Rental Assistance (owner-occupants of less than 90 days and tenants with more than 90 days of occupancy immediately prior to initiation of negotiations)
 - Rent Supplement Payment – the difference in rent payments between the current location and the new location for 42 months
 - May be paid in a lump sum or installments
 - New location must meet the standard of being “decent, safe and sanitary”
 - New location must be rented and occupied within one year
 3. Down Payment Assistance (owner-occupants of less than 90 days and tenants with more than 90 days of occupancy immediately prior to initiation of negotiations)
 - Down Payment Assistance Payment
 - Incidental Expenses (loan application fees and closing costs)
 - Equal to the approved Rental Assistance payment amount
 - New location must be purchased and occupied within one year

The City must provide comparable replacement housing that is decent, safe and sanitary and within your financial means before you are required to move. This can be done with Replacement Housing Payments or by other means, if necessary, such as making an existing comparable residential dwelling available to you in exchange for your dwelling or moving and rehabilitating a dwelling in exchange for your dwelling. Alternatively, the City can partner with a housing authority to provide suitable housing.

The City will not require you, without your written consent, to accept a replacement dwelling provided by the City.

BUSINESSES

Businesses that are Relocated Persons are entitled to receive:

- **Moving Cost Reimbursement and Related Expenses (up to a 50 mile distance)**
 - Businesses may choose to be paid based on either:
 1. Actual, reasonable and necessary moving costs and related expenses supported by receipts (cost of packing and unpacking, disconnecting and reconnecting household items, utility and telephone connection charges, temporary storage, transportation, moving insurance, and related costs)
 - Professional or self-moving costs
 - Professional Mover: You hire a moving company
 - Self-Move: You take full responsibility to move yourself
 - Related expenses, like personal property loss
 - Expenses in finding a replacement site
 - Payment, not to exceed \$2,500 for reasonable and necessary search expenses (transportation, meals and lodging if away from home, time spent, real estate agents and brokers (excluding commissions), and other expenses
 - Re-establishment costs for small businesses (500 employees or less)
 - Payment, not to exceed \$25,000 for reasonable and necessary expenses actually occurred in relocating and reestablishing at a replacement site; or
 2. A fixed moving cost schedule based on annual net earnings of the business, not less than \$1,000 and not to exceed \$40,000

PERSONAL PROPERTY ONLY

Relocated Persons that are not residents in their building or have a business there, but have personal property to move are entitled to receive the same benefit as a Resident for moving cost reimbursement and related expenses (up to a 50 mile distance).

RELOCATION ASSISTANCE SPECIALISTS

City Staff and Relocation Assistance Specialists can assist with locating a suitable replacement property and advise you on the relocation process. They will personally interview relocated persons to:

- Explain and verify benefits to aid successful relocation
- Determine needs and preferences
- Identify availability of replacement housing (provide a listing of comparable properties)
- Offer transportation if necessary
- Supply information on other federal and state assistance programs
- Inspect residential property for acceptability (decent, safe and sanitary)
- Provide counseling to minimize hardships

NOTE: To qualify for the Relocation Assistance benefits you are eligible for, you must work directly with City Staff or the Relocation Assistance Specialists. These individuals will provide you with all of the required claim forms and assist you in completing them. City Staff or the Relocation Assistance Specialist will explain the documentation to submit to receive relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your needs with your City Staff or the Relocation Assistance Specialist.

Residential Moving Expenses: Prior to taking any action or incurring any moving expenses, you must verify eligibility of reimbursement with City Staff or the Relocation Assistance Specialist.

Replacement Housing: Replacement Housing is required by law to be (1) comparable and (2) decent, safe and sanitary. Do not execute a purchase contract or a lease agreement until City Staff or the Relocation Assistance Specialist has inspected and certified in writing that the dwelling you propose to purchase or rent meets the required standard.

Business Moving Expenses: Businesses should provide City Staff or the Relocation Assistance Specialist with the approximate date of their planned move so the City can monitor the move of personal property. If there is a direct loss of tangible personal property as a result of the move, you may be eligible for a payment to cover such loss.

Business Relocation / Re-establishment Expenses: City Staff or the Relocation Assistance Specialist will explain the eligible expenses included under this category of relocation assistance. To qualify for a fixed costs reimbursement, City Staff or the Relocation Assistance Specialist will need to make a number of findings of eligibility prior to your move.

THE CITY WILL REACH OUT TO YOU TO ARRANGE A MEETING WITH A RELOCATION ASSISTANCE SPECIALIST
OR YOU MAY REQUEST A RELOCATION ASSISTANCE SPECIALIST BY
CALLING

JOSE CARLOS VILLALVA (915-212-1631)
CITY OF EL PASO REAL ESTATE MANAGER

RELOCATION PAYMENTS

Relocation payments are not considered income for the purposes of the Internal Revenue Code or for determining eligibility of any person for assistance under the Social Security Act or other federal law.

Here are examples of how the payments work:

Replacement Housing: Purchase Supplement:

If the City purchases your property for \$100,000 and determines that a comparable replacement property will cost \$116,500, you will be eligible for a price differential payment of \$16,500 if you spend \$116,500 or more on the purchase of replacement housing.

Replacement Housing: Rental Assistance:

If you have been paying \$300 per month in rent for a unit purchased by the City, plus you pay \$100 per month for utilities and the City determines that a replacement rental unit is available for \$550 per month and utilities will cost \$125 per month. The maximum rental assistance payment you can receive is \$275 per month for a 42-month period, or a total of \$11,550. This calculation is based on a last resort scenario.

Replacement Housing: Down Payment Assistance:

The maximum down payment that you may be eligible to receive is based on your rental assistance payment computation.

RIGHT TO APPEAL

If you believe the City has failed to properly determine your eligibility, or the amount of a payment, you may appeal to the City's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. The City will assist you in filing an appeal and explain the procedures to you. You will be given a prompt and full opportunity to be heard by the Review Committee. You have the right to be represented by legal counsel or another representative, at your own expense.